

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TRUST UNDER THE WILL OF JAMES	:	
WILLS, CITY OF PHILADELPHIA,	:	CIVIL ACTION
ACTING BY THE BOARD OF DIRECTORS	:	NO. 16-6614
OF CITY TRUSTS, d/b/a	:	
WILLS EYE HOSPITAL,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
SYLVIA MATHEWS BURWELL,	:	
SECRETARY, UNITED STATES	:	
DEPARTMENT OF HEALTH & HUMAN	:	
SERVICES,	:	
	:	
Defendant.	:	

ORDER

AND NOW, this **25th** day of **January, 2018**, upon consideration of Plaintiff's Motion for Summary Judgment (ECF No. 20), Defendant's Motion for Summary Judgment (ECF No. 22), the responses and replies thereto (ECF Nos. 23, 24, 25, 26, 29), Defendant's Motion for Leave to File a Sur-Reply (ECF No. 30), the responses thereto (ECF Nos. 31, 34), the notices of supplemental authority (ECF Nos. 33, 35, 36, 39, 40), the responses thereto (ECF Nos. 34, 41), after a hearing on the record with counsel for the parties, and for the reasons set

forth the in accompanying Memorandum, it is hereby **ORDERED** as follows:

1. Plaintiff's Motion for Summary Judgement (ECF No. 20) is **DENIED**.

2. Defendant's Motion for Summary Judgment (ECF No. 22) is **GRANTED**.

3. Defendant's Motion for Leave to File a Sur-Reply (ECF No. 30) is **DENIED**.

AND IT IS SO ORDERED.

/s/ Eduardo C. Robreno
EDUARDO C. ROBRENO, J.